

**MINUTES
REGULAR COUNCIL MEETING
SEPTEMBER 17, 2008 @ 6:30 P.M.**

1. CALL TO ORDER.

Mayor Stearley called the meeting to order at 6:30 PM. All Councilors were present. Also present was Ms. Estefanie B. Muller, Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Abrams made a motion to approve the Agenda as presented. Councilor Felton seconded the motion.

Councilor Hill stated that he was not sure that the statement on the agenda fulfilled the Attorney Generals requirements for going into closed session and asked if was necessary. Councilor Hill also stated that the Council should become more diligent about compliance.

Mayor Stearley stated that the closed session could be tabled for another meeting.

MOTION: Councilor Abrams made a motion to table Item 16 until the next Council Meeting. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion passed.

4. MATTERS FROM THE MAYOR.

A. Dissolution of Impact Fee Committee

Mayor Stearley discussed this item for the Council.

Councilor Hill asked about the County Impact Fee for fire.

Mr. Chuck Ring made a statement about the differences in the two Impact Fees.

Mayor Stearley stated that there was not a requirement to retain the Committee.

Councilor Hill stated that the Council needed to discuss the collection of Impact Fees with Santa Fe County so that the Council can be sure that they are in compliance with State Law.

Mayor Stearley stated that he would like to have a meeting with the Fire Chief and Councilor Hill.

Councilor Felton asked if there should be some sort of structure in place to oversee the Capital Improvement Plan.

Mayor Stearley stated that he felt the Council should act as the Capital Improvement Board.

Councilor Felton stated that his concern was that the CIP was a snapshot of the ICIP and that the Council needed to get to a different place.

Councilor Simmons stated that if the Council was going to be their own board then they would need more time to review it.

Councilor Simmons commented on the Impact Fees for Santa Fe County and she encouraged the meeting with Chief Holden.

Mayor Stearley stated that he would discuss the Police Building and the Fire Station in his meeting with Chief Holden.

MOTION: Councilor Abrams made a motion to table this Item to a later date.
Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Mayor Stearley reviewed the handout from the Police Chief regarding the purchase of new equipment.

Mayor Stearley also discussed the purchase of a Bobcat.

Mr. Norton Henninger described the Tool Cat and its various uses and accessories for the Council.

Mayor Stearley discussed the Lone Pine Ranch Development and the Pre-Application Approval and the issues with the Sewer stating that the contractor was proposing to deepen the ponds at the Towns plant as well as addressing the additional piping that would be required.

Mayor Stearley discussed bringing in a consultant to help determine the appropriate fees. Councilor Hill requested that the Mayor write an RFP for the Consultant.

Councilor Simmons stated that she was concerned about the businesses coming in at a slower rate than the subdivisions.

Mayor Stearley stated that the consultant would advise on all aspects of the sewer rates.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Abrams discussed the Energy Resolution that was passed several months ago including the progress, challenges, and also the creation of a committee.

Mayor Stearley stated that he would pursue individuals to serve on this committee.

Mayor Stearley requested that Councilor Abrams include himself on this committee.

Mr. Jim Edmiston stated that he would be happy to serve on the committee as well.

Council discussed seeking members from the following entities to serve on the committee, Sandia Labs, State Department of Energy, Minerals & Natural Resources, Members of the Power Distribution Network including Central New Mexico and PNM, Las Alamos National Labs, UNM Engineering Department.

Councilor Simmons put forward the name, Eric Jones, who may be interested in serving.

Councilor Felton suggested members who are involved in the manufacture of the equipment that would be used.

Mayor Stearley stated that he would be asking for a staff member from the PRC to participate after the committee has made some progress.
Councilor Simmons discussed the fact that the Road Crew was seen pulling weeds and that this is not good use of the Towns resources.

6. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Note: If you plan to testify under Public Hearings, please do not sign up for the same topic.

Dianne Stearley spoke about Alternative Energy and gave the name of Susie Marbury for the Energy committee. She also spoke about the Edgewood Clean and Beautiful Event September 27, 2008 from 9AM to 12Noon.

Councilor Simmons commented on the amount of goat heads on Dinkle by the school.

Councilor Felton expressed thanks to the Clean and Beautiful Group for their consistency year after year.

7. MATTERS FROM THE ATTORNEY.

Councilor Hill stated that Mr. Marcus Rael was awarded, Outstanding Young Attorney of the Year by the NM State Bar Association.

Councilor Simmons commented on the MOU between COLTPAC and the Town is being held up between Attorneys.

Ms. Muller responded stating that the Town had sent a card on behalf of the Mayor and Council to Mr. Rael congratulating him on the award. She also commented on the MOU stating that Mr. Rael had informed staff about the changes and that he was keeping up on it.

Mayor Stearley requested Ms. Muller to note a meeting between Mr. Rael and himself regarding this MOU.

8. PUBLIC HEARINGS

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Ms. Muller certified that Public Notice of this meeting was posted as required.

B. Review and Amendment to Ordinance No. 2003-12 Litter & Anti-Blight Ordinance. (Amended October 20, 2004)

Mr. Lawson reviewed this item for the Council.

Mr. Lawson discussed inoperable vehicles stating that there had been a change to the number of days, which now stands at 30 days.

Mayor Stearley asked how they arrived at 30 days instead of 90 days.

Councilor Hill stated that he saw this as a real problem as this will decrease a properties value and that it should stay at 30 days.

Ms. Stearley commented on construction material and the issue of wind scattering the materials.

Council discussed this issue and requested adding construction site waste material to the Ordinance.

Ms. Stearley commented on abandoned vehicles with expired stickers.

Mr. Lawson responded.

Mr. Edmundson asked about provisions for manure in the Ordinance

Mr. Lawson responded stating that he felt this was addressed.

Mr. Steiner asked if a wrecking yard for vehicle removal could be listed on the building permit.

Councilor Felton stated that the problem would then be with the company that was not listed.

Ms. Julia Stearns commented about the balance between country rural setting and fast developing quality suburbs.

Councilor Felton discussed the horse manure that was on the concrete sidewalk in front of Wal-Mart.

Mr. Norm Landry discussed a school project vehicle that his son would be working on.

Mr. Lawson responded stating that as long as it was placed behind a fence that blocked the view it would not have a time limit.

Ms. Stearley stated that she was aware of a waiver for 4-H and school projects that some counties employ.

Mr. Lawson stated that a comment adding that variances can be obtained by presenting to the Planning & Zoning Commission. He also suggested a mediation board.

Councilor Hill stated that the Town would have to be very careful in how it is handled and worded.

Councilor Hill stated that the variances should be limited to inoperable vehicles and building materials, Sections 3A & B.

Mr. Lawson described some of the other changes that were made to the Ordinance.

Ms. Stearley asked if tires were covered in the Ordinance as they also pose a danger.

Mayor Stearley asked if this should be added to the list.

Councilor Hill suggested that it should be added.

Councilor Simmons made a comment about cattle haulers being penalized.

Councilor discussed this issue and decided that no additional language was needed.

Mr. Lawson discussed the penalty changes adding the words, "Maximum Fine Of".

MOTION: Councilor Hill made a motion to continue the Public Hearing at the next meeting and asked staff to draft the changes that were discussed.
Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Ms. Muller certified that Public Notice of this meeting was posted as required.

C. 2010-2014 Infrastructure Capital Improvement Plan (ICIP)

Resolution No. 2008-52

Mayor Stearley discussed the ICIP including the top ranking items.

Councilor Hill discussed the CGDB funding stating that he did not think that the Town was eligible.

1. Public Works Facility.
2. Municipal Arterial Paving Improvement.
3. Regional Recreational Fields.
4. Public Safety Municipal Facility/Library.
5. Landfill/Compost Study.

The Council requested that Open Space Trail be moved to the position that the Landfill Study was in but to keep it on the list.

Councilor Hill clarified the intentions of the ICIP for the Public stating that this was more of a “Wish List”, for the Town and these items may not be funded.

Ms. Stearley stated that it might be better to place a more likely project first on the list due to the fact that State Revenue was down.

Councilor Felton commented on the maintenance of the top five items and he would like to see the Council nail this down more firmly.

Mayor Stearley stated that he had spoken to Ed Cardenas about the water for Section 16 and he will be able to provide a letter to the town regarding their capability to provide the water.

Councilor Felton stated that he would like to see a maintenance-planning document.

Mayor Stearley discussed a Microsoft Project plan for scheduling and is working to obtain drawing, photos, a plan and a budget for specific buildings.

Mayor Stearley discussed the Youth Program Committee that he had asked Parks & Recreation department to put together stating that they wanted to team with the schools and the County.

Councilor Simmons suggested that Wildlife West also provides opportunities for youth.

Councilor Simmons stated that she had spoken to someone about the No Child Left Inside.

MOTION: Councilor Hill made a motion to adopt Resolution 2008-52 with the revisions discussed. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

9. COMMUNITY DEVELOPMENT REPORT.

D. Acceptance of Maintenance for West Frontage Road.

Mayor Stearley discussed this item.

MOTION: Councilor Hill made a motion to accept maintenance for a portion of West Frontage Road (Cowboy Way) from Horton Road and West. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.
Councilor Hill voted aye. Councilor Simmons voted aye. The
motion carried.

10. PARKS & RECREATION REPORT.

E. Report for the month of August, 2008.

Mr. Jim Edmiston reviewed the report for Council.

Council requested a copy of the letter to State Land Office.

F. Parks & Recreation Advisory Committee Meeting Minutes of July 24, 2008.

Jim Edmiston reviewed this item for the Council, which included working on a schedule,
seeding the grass for the fields.

Councilor Felton asked if the numbers for maintenance could be pulled together so that
Council can see what it will cost per month.

G. East Mountain Regional Trails Council (EMRTC) Minutes of September 2008.

Mr. Edmiston reviewed this item for Council.

H. Approval of Trail along Frontage Road.

I. Approval of Funding for Section 34 Fencing.

J. Approval of Work Order for Survey of Section 34.

MOTION: Councilor Hill made a motion to table items H, I, and J, until the next
meeting. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor
Felton voted aye. Councilor Abrams voted aye. The motion carried.

K. Approval for Funding for Skate Park Repair in the amount of \$2000.00.

L. Budget Resolution No. 2008-56.

Mr. Edmiston reviewed this item for the Council.

MOTION: Councilor Hill made a motion to approve Budget Resolution 2008-56.
Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill
voted aye. Councilor Simmons voted aye. The motion carried.

11. APPROVAL OF PREVIOUS MINUTES.

M. Regular Council Meeting Minutes of September 3, 2008.

Councilor Felton asked that corrections to page 6, line 9 change "they" to "the" be made,
line 10, be "Legislature", and line 12 to be "from" instead of "form".

Councilor Simmons asked if the meeting with Commissioner Anaya had taken place.

Initials

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Mayor Stearley stated that it was still to be scheduled and Councilor Simmons would be invited to attend that meeting.

MOTION: Councilor Hill made a motion to approve the minutes with the corrections discussed. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

12. ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.

N. Planning & Zoning Commission Meeting of September 8, 2008.

MOTION: Councilor Abrams made a motion to acknowledge receipt of the Planning & Zoning Minutes of September 8, 2008. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

13. BIDS RECEIVED FOR A BUILDING LEASE FOR THE EDGEWOOD COMMUNITY LIBRARY.

Ms. Estefanie Muller updated Council on this item stating that the Town did not receive any bids.

14. FINANCE & ADMINISTRATION.

O. Approval of Town Bills.

Councilor Simmons asked about a lease payment.

Ms. Muller clarified for Council that these payments were prepared in advance as they were due September 1st and two payments were made in August due.

MOTION: Councilor Felton made a motion to approve the Town Bills. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

P. Approval of Financial Report.

MOTION: Councilor Simmons made a motion to approve the Financial Report. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Q. Budget Resolution No. 2008-57 Budget Adjustments.
Ms. Muller reviewed this item for the Council.

MOTION: Councilor Hill made a motion to adopt Budget Resolution No. 2008-57 to modify the Budget in the amount of \$48,144.00 for the Equipment Operator Position. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

15. CLERK-TREASURER'S REPORT.

R. Approval to Advertise Equipment Operator Position.

MOTION: Councilor Simmons made a motion to approve the advertising for the Equipment Operator Position. Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

S. Animal Control - Change of Hours.

Ms. Muller updated the Council on the changes to the Animal Control Officers Hours to be 4 days, 10 hours resulting with Officers working 7 day per week.

T. Clerk's Certification Conference.

Ms. Muller updated Council on this item as she will be attending year 2 of 3 for her certification.

16. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-(H)(8) the following will be discussed in Closed Session.

U. Acquisition of Real Property.

This item was tabled.

17. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

V. Regular Council Meeting – October 1, 2008.

W. Regular Council Meeting – October 15, 2008.

Note: The Town Hall Office will be closed on Monday October 13, 2008 in observance of Columbus Day.

Councilor Hill reminded the Council that two meetings needed to be scheduled, Sign Ordinance meeting, and a Budget Workshop.

18. ADJOURN.

Intials

MOTION: Councilor Simmons made a motion to adjourn the meeting.

VOTE: All Councilors voted aye.

Mayor Stearley adjourned the meeting at 9:32 P.M.

PASSED AND APPROVED this 1st day of OCTOBER, 2008.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Clerk-Treasurer